

**EXHIBIT B (Part 2)**

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1 Q. Does WGI have any annual conference of the  
2 folks who are working within your department where  
3 people can meet and discuss issues?

4 A. No. There's only two of us.

5 Q. Just you and Mr. Cakrane?

6 A. That's correct.

7 Q. Do you have anyone that reports to you?

8 A. No, I don't.

9 Q. Mr. Hanks, do you ever have occasion to  
10 speak with him within the context of your job  
11 duties?

12 A. The last time would have been in Boise in  
13 approximately '98.

14 Q. That was the last time you spoke to him  
15 regarding anything to do with your job duties?

16 A. That's right.

17 Q. Do you otherwise have access to him? In  
18 other words, could you pick up the phone and call  
19 him?

20 A. I could, yes.

21 Q. But I can tell from your facial expression,  
22 that probably doesn't happen that often?

23 A. No.

24 Q. Just to clarify my understanding, as labor

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1 relations director at WGI, do you hold that title  
2 only in the field in the sense that when you are  
3 working, you are placed on a project and that's  
4 where you hold the title; or is there someone --  
5 actually, that's a bad question. Strike it.

6 At any given time, how many projects does  
7 WGI have going on? Is it more than one?

8 A. Yes.

9 Q. How many on average would you say?

10 A. In the United States, approximately 50  
11 projects, union; approximately 40, 50 projects  
12 nonunion; a dozen approximately worldwide, but I  
13 really don't know the number.

14 Q. I guess what I'm trying to understand is if  
15 you are on a particular site, for example, Oak Ridge  
16 or -- and we have not talked about this -- at Sithe  
17 Mystic, for example, who is responsible for labor  
18 relations at other sites, those other 49 sites, or  
19 is my understanding off?

20 A. Any of our projects that do not have a  
21 labor relations person assigned to it, the project  
22 manager is actually responsible.

23 Q. How many labor relations managers are  
24 there, or how many labor relations professionals are

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1 there at WGI?

2 A. Two of us.

3 Q. Just two?

4 A. Yes.

5 Q. Does Mr. Cakrane ever go out in the field?

6 MR. PATERNITI: Objection. Go ahead.

7 A. Is tends to work at a higher level because  
8 of his position. He's involved very heavily with  
9 the international unions in Washington, D.C. They  
10 have quite a few issues to deal with. He sits on  
11 the board of a number of national contractor  
12 committees. He's very involved with that, with the  
13 international unions.

14 I tend to be more involved with our job  
15 sites, not to say he doesn't get a call once in a  
16 while, certainly.

17 Q. But he's usually not on a site for a period  
18 of time?

19 A. No. He's never on assignment. He works  
20 out of the corporate office.

21 Q. Just so I understand your job, are you  
22 usually placed on a particular site and only focus  
23 on that site, or do you have to oversee all those  
24 90 plus projects?

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1 A. If I'm assigned to a site, generally I am  
2 probably involved 90 percent with the site. I may  
3 get some issues come to me -- and this has occurred  
4 many times over the years -- from other projects.

5 A lot of the people in the company know who  
6 I am. I can be found and asked questions, for  
7 instance.

8 The general rule, though, would be if you  
9 are assigned to a site, that's what you are going to  
10 focus on.

11 Q. When you were hired at Morrison-Knudsen,  
12 did you get any training at the time of your hire in  
13 order to perform your duties?

14 A. Not specifically, no.

15 Q. Did you ever get any training while you  
16 were with Morrison-Knudsen towards the performance  
17 of your duties?

18 A. I've attended seminars over the years,  
19 collective bargaining type seminars, arbitration  
20 seminars to try and gain more background in doing my  
21 duties.

22 Q. How many times a year would you say on  
23 average that you attend seminars or had attended  
24 seminars while at Morrison?



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1 Q. Do you happen to know the name of the  
2 plaintiff's attorney in that case?  
3 A. I can't recall it, no.  
4 Q. No problem. In your position, are you  
5 authorized to hire any help, any assistants to you?  
6 A. No.  
7 Q. Have you ever requested assistants?  
8 A. No.  
9 Q. Do you think you need assistants?  
10 A. No.  
11 Q. What I mean by assistants is support staff,  
12 people that you could clone to be like you or  
13 perform your same functions.  
14 A. We have an individual that we have selected  
15 as a third labor relations person in the company,  
16 but he will not join us for a couple of years. Who  
17 he will work for directly, that has not been  
18 determined yet by Is and I.  
19 Q. Could you tell me a little bit about how  
20 that came to happen in one minute or less.  
21 A. Is is approaching 60. I'm 62. Somebody  
22 has to take the reins. This individual is 45 years  
23 old, so...  
24 Q. What is the name of that person?

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1 A. Mitch Wisenor.  
2 Q. Where is Mitch currently?  
3 A. He's in New Mexico right now on an  
4 unrelated assignment.  
5 Q. Is he a project manager?  
6 A. A project manager type, yes.  
7 Q. Project manager type, what does that mean?  
8 A. He is sufficiently trained and has time  
9 with the company where he could run a project  
10 himself. I think his last assignment was general  
11 superintendent out at the Rocky Flats site. He has  
12 had a promotion since then, though.  
13 Q. You told me earlier you are on a grade  
14 system at WGI.  
15 A. Yes.  
16 Q. I'm familiar with that system because I'm  
17 on a grade system, too. Does the grade system  
18 correspond with a salary? In other words, if you  
19 are a Grade 14, do you get a certain salary and  
20 everybody in that grade gets a certain salary?  
21 A. Yes. It corresponds with a salary range.  
22 Q. You told me you are currently a Grade 14?  
23 A. No, 18.  
24 Q. I'm sorry, that's right. Could you tell me

1 what the salary range for that is, if you know.  
2 A. I would have to speculate. I can't say  
3 specifically what they are.  
4 Q. Agreeing to keep your salary confidential,  
5 what is your salary currently at WGI?  
6 REDACTED REDACTED  
7 Q. Do you have any other compensation at WGI?  
8 A. No, I do not.  
9 Q. Do you know how many employees WGI  
10 currently has?  
11 A. Approximately 25,000 worldwide.  
12 Q. Do you know approximately how many of those  
13 are in the U.S.?  
14 A. Probably around 20,000. That's going to be  
15 all grades and classifications. That will include  
16 craft workers and projects, also.  
17 Q. So that includes any union employees?  
18 A. That's correct.  
19 Q. Is it fair to say that you are the sole  
20 labor relations person with responsibility in the  
21 United States for 20,000 people.  
22 A. Well, 20,000 people won't have a labor  
23 relations problem. It will probably be a few  
24 hundred.

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1 Q. But you have that responsibility should  
2 they have any?  
3 A. Absolutely.  
4 Q. This doesn't require a response, but you  
5 have a tough job.  
6 A. Thank you.  
7 Q. You talked to me a little bit about EEO  
8 training that you received. I just want to break  
9 that down a little further. Have you ever received  
10 any training in cultural diversity or diversity type  
11 training?  
12 A. Not that I can recall.  
13 Q. What about training with respect to  
14 anti-discrimination policies, whether state or  
15 federal?  
16 A. Yes. Part of that training I related to at  
17 Oak Ridge covered those issues.  
18 Q. Was that the only training you ever  
19 received on anti-discrimination policies?  
20 A. Any kind of formal training, yes.  
21 Q. I want to focus now on the Sithe Mystic  
22 powerplant project. I'm just going to call it  
23 "Mystic." That's what I mean when I say that.  
24 I understand you were the labor relations



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1 handle discrimination complaints to general foremen  
2 and foremen at the Mystic site?

3 A. I'm not aware of any.

4 Q. Based on any understanding that you have of  
5 this field, do you know how a general foreman or a  
6 foreman at the Mystic site would have dealt with a  
7 complaint of discrimination?

8 A. He probably would have told his next  
9 superior, whoever that individual reported to.

10 Q. I understand the foremen report to the  
11 general foremen. Who is the next line of report for  
12 a general foreman?

13 A. It would either be the assistant  
14 superintendent if there was such an individual  
15 assigned to that, or the superintendent.

16 Q. If you look at the last line of Exhibit 14,  
17 "Several people have been terminated for racist  
18 conduct," that line.

19 A. Right.

20 Q. Do you know anything about people who have  
21 been terminated for racist conduct at the Mystic  
22 site?

23 A. Let's see, September 11th, three people.

24 Q. Do you remember who those people were?

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1 terminated regarding the incident with Ozzie Weeks  
2 was Dick O'Hare?

3 A. That's it, yes.

4 Q. Finally, just to clarify, the document that  
5 we were reviewing that were the notes of the EEOC  
6 investigator from the onsite, this was actually  
7 included in the discovery responses or production to  
8 WGI at some point. I asked you earlier in the day  
9 whether you looked at any discovery. You said,  
10 "Yes." I'm just curious, had you ever seen this  
11 before today?

12 A. No, I had not.

13 MS. PALACIOS: That's all for today. Off  
14 the record.

15 (Discussion off the record)

16 (Whereupon the deposition  
17 was suspended at 4:30 p.m.)  
18  
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1 A. It was the individual that had the run-in  
2 with Ozzie Weeks. He was an electrician. I'm  
3 drawing a blank on the name. He was terminated. He  
4 used the "N" word in an argument with Ozzie. Ozzie  
5 worked for another contract, not for us.

6 Wait a minute, let's see if I have it  
7 right. (Examines document) Yes, Ozzie worked for  
8 Bond Brothers. The harasser worked for us. He was  
9 terminated.

10 We had a superintendent that was terminated  
11 for making racist comments to subcontractor  
12 employees.

13 Q. Do you know who that was?

14 A. John Day. Of course, we have Alan Griffis  
15 with Encompass.

16 I think the word "several" here is  
17 generally capturing what is going on. That was used  
18 in this memo. Those are the ones that I recall,  
19 though.

20 Q. Anybody else?

21 A. Not that I can recall. By the time of this  
22 memo, I'm trying to put it into that time frame.  
23 That's all that's coming to mind at the moment.

24 Q. Do you remember if the person who was

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# 1 CERTIFICATE

2 I, WARREN R. ANDERSON, do hereby certify that I  
3 have read the foregoing transcript of my testimony,  
4 and further certify under the pains and penalties of  
5 perjury that said transcript (with/without)  
6 suggested corrections is a true and accurate record  
7 of said testimony.

8 Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_,  
9 2006.  
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1 COMMONWEALTH OF MASSACHUSETTS)  
2 SUFFOLK, SS. )

3 I, Ken A. DiFraia, Registered Professional  
4 Reporter and Notary Public in and for the  
5 Commonwealth of Massachusetts, do hereby certify  
6 that there came before me on the 12th day of April,  
7 2006, at 10:07 a.m., the person hereinbefore named,  
8 who was by me duly sworn to testify to the truth and  
9 nothing but the truth of his knowledge touching and  
10 concerning the matters in controversy in this cause;  
11 that he was thereupon examined upon his oath, and  
12 his examination reduced to typewriting under my  
13 direction; and that the deposition is a true record  
14 of the testimony given by the witness.

15 I further certify that I am neither attorney or  
16 counsel for, nor related to or employed by, any  
17 attorney or counsel employed by the parties hereto  
18 or financially interested in the action.

19 In witness whereof, I have hereunto set my hand  
20 and affixed my notarial seal this \_\_\_\_ day of April,  
21 2006.

22 \_\_\_\_\_  
23 Notary Public  
24 My commission expires 4/3/09